

a whole. Due to these burdensome circumstances, patients are forced to spend more of their limited resources on drugs which hampers access to adequate medication needed to successfully treat conditions for many of these individuals.

In 1995, we found that persons with supplementary prescription drug coverage used 20.3 prescriptions per year compared to 15.3 for those individuals lacking supplementary coverage. The patients without supplementary coverage were forced to compromise their health because they could not afford to pay for the additional drugs that they needed. The quality and life of these individuals continues to deteriorate while we continued to limit their access to basic health necessities. H.R. 664 will tackle this problem by allowing our patients to purchase prescription drugs at a lower price.

Why should senior citizens have to continually compromise their health by being forced to decide which prescription drugs to buy and which drugs not to take, simply because of budgetary caps that limit their access to treat the health problems they struggle with? These patients cannot afford to pay these burdensome costs. We must work together to expand Medicare by making it more competitive, efficient, and accessible to the demanding needs of patients. By investing directly in Medicare, we choose to invest in the lives, health, and future of our patients. By denying them access to affordable prescription drugs, we deny these individuals the right to a healthy life which continues to deteriorate their well-being and quality of life.

The House Committee on Government Reform conducted several studies identifying the price differential for commonly used drugs by senior citizens on Medicare and those with insurance plans. These surveys found that drug manufacturers engaged in widespread price discrimination, forcing senior citizens and other individual purchasers to pay substantially more for prescription drugs than favored customers, such as large HMOs, insurance companies, and the federal government.

According to these reports, older Americans pay exorbitant prices for commonly used drugs for high blood pressure, ulcers, heart problems, and other serious conditions. The report reveals that the price differential between favored customers and senior citizens for the cholesterol drug Zocor (Zo-Kor) is 213%; while favored customers—corporate, governmental, and institutional customers—pay \$34.80 for the drug, senior citizens in my Congressional District may pay an average of \$109.00 for the same medication. The study reports similar findings for four other drugs investigated in the study: Norvase (Nor-Vask) (high blood pressure): \$59.71 for favored customers and \$129.19 for seniors; Prilosec (Pry-low-Sec) (ulcers): \$59.10 for favored customers and \$127.30 for seniors; Procardia (Pro-car-dia) XL (heart problems): \$68.35 for favored customers and \$142.21 for seniors; and Zoloft (Zo-loft) (depression): \$115.70 for favored customers and \$235.09 for seniors.

If Medicare is not paying for these drugs, then the patient is left to pay out-of-pocket. Numerous patients are forced to gamble with their health when they cannot afford to pay for the drugs needed to treat their conditions. Every day, these patients have to live with the fear of having to encounter major medical problems because they were denied access to

prescription drugs they could not afford to pay out of their pocket. Often times, senior citizens must choose between buying food or medicine. This is wrong.

Reports studying comparisons in prescription drug prices in the United States, Canada, and Mexico reveal that Americans pay much more for prescription drugs than our neighboring countries. In 1991, the General Accounting Office (GAO) revealed that prescription drugs in the U.S. were priced at 34 percent higher than the same pharmaceutical drugs in Canada. Studies administered on comparisons between the U.S. and Mexico also reveal that drug prices in Mexico are considerably lower than in the United States. In both Canada and Mexico, the government is one of the largest payers for prescription drugs which gives them significant power to establish prices as well as influence what drugs they will pay for.

Many Medicare patients have significant health care needs. They are forced to survive on very limited resources. They are entitled to medical treatments at affordable prices. H.R. 664 will benefit millions of patients each year. This bill will address many of the problems relating to prescription drugs and will ensure that patients have adequate access to their basic health needs. Let's stop gambling with the lives of Medicare patients and support this plan to strengthen and modernize Medicare by finally making prescription drugs available to Medicare beneficiaries at substantially reduced prices. It is a matter of life or death.

#### SOLVING PRESCRIPTION DRUG PROBLEM IS NO ROSE GARDEN

The SPEAKER pro tempore (Mr. KINGSTON). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I have been sitting here for the last hour listening to the previous speakers and their comments about prescription drugs. I need to tell my colleagues, they brought up some very valid points.

I think that the prescription drugs in this country are priced too high, and I think there are a lot of families in this country who suffer because they cannot afford those prescription drugs. But let me say to all of my colleagues who have also joined the previous speakers and listening to them in the last hour, do not let people promise you a rose garden.

How can one possibly get the Federal Government involved in anything and then honestly look at the American people and say it is not going to have any cost. There is a tremendous cost every time the government gets involved.

Now, what happens back here in Washington, D.C., as many of my colleagues know, programs often start on the promise that the cost will be a low cost. Take a look at almost any program my colleagues want to. The space program, it is a great program, but look at how the costs have just ballooned out of sight. Look at all the

different social programs, the welfare programs.

Look at Social Security. Social Security started out with good intent. It was going to cost this much, and pretty soon it was this much, and pretty soon this much, and pretty soon this much.

So the only thing that I would add to the previous speakers' conversations is, let us look at the economics. We all agree there is a prescription problem out there. In fact, I would take issue with the one gentlemen I believe from Texas who made points that perhaps it was partisan warfare on this. I do not think so. I think, on both sides of the aisle, Members recognize there is a problem out there with the cost of affording prescription drugs. But I think on the Republican side of the aisle, there is a realization that somebody has got to pay for it.

Nothing is free. We have heard that saying since we were little, tiny kids. One does not get something for nothing. That is what my mom always used to tell me. I always used to say, "Mom, here is a great bargain; or, daddy, I can get this for free." My dad and mom would always say to me, "You do not get something for nothing. Somewhere somebody has got to pay."

It is just like our social programs. Every time one gives a dollar to somebody who is not working one has got to take that dollar from somebody who is working. So as we go together as a team to take a look at what we can do for the people of this country in lowering those prescription costs, getting the FDA to approve these drugs instead of sitting on a bureaucracy, almost a bureaucratic strike before they approve these drugs, as we begin to approach these challenges, let us not forget what the consequential costs will be to the future. Are we creating a new Federal program that will very soon balloon out of sight?

We have a history. The United States Congress has a long history of starting out program after program after program with good intent after good intent after good intent, and they never, ever, ever come anywhere close in their estimations of cost at the beginning of the program versus what the actual costs are once the program gets on its feet. Never anywhere close. I mean, it is just not close.

So, again, this is not the intent of my speech tonight, but I want to say, because I thought their comments were well made, and I think some of the problems my colleagues spoke about in the last hour, they hit the nail right on the head; but let us not promise the American people a rose garden. Let us be realistic about this. Let us talk about the economics of it. Let us talk about who is going to pay the bill. We need to consider that.

CLEMENCY FOR FALN

Mr. MCINNIS. Mr. Speaker, I want to visit with my colleagues this evening about a couple of things. Many of the people in my district already know that I used to be a police officer. But

for my colleagues that are not familiar with it, I used to be a police officer.

I have got some experience in the field of law enforcement. I know that the best way to stop crime is to have consequences for one's crime. If one commits a wrong, one has to pay a price. There is a price to pay if one decides to take behavior that is not normal or behavior that creates bad things in our society. We all know we have to have a price. As a police officer, I saw that every day.

Well, tonight I want to talk about a couple things that just smack right in the face of trying to bring civility and trying to cut down the crime rate in our society. We all know that for many, many, many years in this country, we have suffered unfairly at the hands of terrorism. It has happened right here in these House Chambers, right here where my colleagues are sitting.

Take a look right up there. Look up there on the roof. Do my colleagues know what is up there on the roof of the U.S. House of Representatives Chambers? There is a bullet hole right up there. My colleagues can see it right here.

I will show my colleagues something else. Look, I am not tearing up the desks in here, but I want to show my colleagues something. This is drawer. Do my colleagues know what is right there. It is a bullet hole. That is a bullet hole. A bullet shot in the House chambers.

Theoretically, this should be one of the safest places in the country. This is the people's House. That is a bullet hole.

Now, how did that bullet hole get there? Puerto Rican terrorists in March 1954. Puerto Rican terrorists. They were there, right there in the galleries, and they opened fire. They wounded at least five congressmen. They wounded a number of other people. But more than that, they broke that cloak of security that we thought we had in the people's House in Washington, D.C.

We have to have consequences for those Puerto Rican terrorists that did that. We have to have consequences for the next generation that followed in that terrorism group.

Well, what happened in the last couple of weeks? Our President, President of the United States, granted clemency for a number of Puerto Rican terrorists. What do I mean by clemency? It is kind of a fancy word. He let them go. He absolved them of their sins. It is kind of like going to confession except they did not really have to confess. All they had to say is, take me on my word. I am a person that should be trusted. I will not do it again. They were let free. There will be a price to pay for letting terrorists walk free.

Tonight let us talk a little bit about that organization. What is that organization? We are going to call it the FALN, F-A-L-N. What does it stand for? It is the acronym for Armed Serv-

ices of National Liberation. That is the only time I am going to say that tonight because I am going to use the initials.

FALN. The easiest way we remember it as we go through our comments is that it is a Puerto Rican separatist group. Now, they really came to light here in 1954 here, as I said. I showed my colleagues the bullet hole right here. I showed them the bullet hole in the roof of the U.S. Capitol of the House Chambers.

Well they struck again. They struck again January 24, 1975 by attacking another icon of American history: New York City. As a result of their terrorist act, the 1975 bombing of the tavern in New York City where General George Washington bid farewell to his troops in 1738, and left four dead as a result of this, they quickly became the most feared domestic terrorist group in the United States. The most feared group in the United States.

This is the same group that, in the last week, the President of this country let them go. He gave them clemency. He said, "Okay, you have been absolved. You are free to go."

I have got a lot of comments about that, a lot of comments from the law enforcement community. My colleagues know how politicians sometimes say, look, I like to listen. I listen before I make my decisions. So, logically, if I have something dealing, for example, with prescription drugs, we talk to seniors who are having problems with prescription drugs. We talk to the pharmaceutical companies who are having troubles getting approval by the FDA. We talk to the FDA. We talk to the different parties.

How many law enforcement agencies were ever visited by the administration before they let these terrorists walk? Do my colleagues know what the answer is? Zero.

I am going to give my colleagues some statistics here in just a few minutes, statistics I think will stun them as to how this decision was made and why this decision was made.

Clearly, a decision of that kind of significance is not made without some reason, without some kind of purpose. There is something behind the decision of that kind of significance. We are going to explore that here in just a few minutes.

But let us talk a little bit more about the FALN. By the way, I give credit to the USA Today. They did an excellent article. Last week, on Tuesday, September 21, if my colleagues have a copy of the USA Today, take a look at it. Excellent article on this very issue.

In their heyday, the FALN members bombed public and commercial buildings, bombed public and commercial buildings. Do my colleagues know the fear that went through this country just a couple of years ago with McVeigh in Oklahoma City or the Unibomber?

Gosh, I hope not 20 years from now that some other president steps up

there and says, "We ought to pardon this fellow that bombed Oklahoma City, or we ought to pardon the Unibomber out here. You know, 20 years is a long time to serve for a bombing."

There were people killed for these bombings. There was fear put in the hearts of everybody in this country, just like all of us now have fear about truck bombs. My colleagues know what it was like when a moving van drove up by one's house 1 or 2 weeks after Oklahoma City. It instilled fear in us. It is a fear that we should not have to live with in this country. The only way, the only way that we will move from that fear is to have consequences for the actions that drive that fear.

□ 2200

Let me go back. They robbed banks. This is the FALN, this is the organization of which the administration released, absolved, gave clemency to last week. This group, in their heyday, they bombed; they robbed banks; they held up armored cars and stole dynamite from a mining company in Colorado. That is my home State. They took weapons from the National Guard Armory in Wisconsin.

Let me quote Wayman Mullins. He is the author of a source book. Here is his book. Mr. Mullins' book, a source book, the sources, he has done a lot of research, a source book on domestic and international terrorism. He says this organization, of which these, many of these members were released last week, they were dangerous, dedicated, and committed. Dangerous, dedicated and committed. As a former cop, let me say that that is a very lethal combination. A very lethal combination. The FALN was a group that got involved in a lot of things.

I think we should have some examples. I am standing up here talking about bombings and armed car robberies and talking about other acts of terrorism in major cities, New York City, which put fear in the hearts of people throughout the country. Let me give my colleagues some specific examples so they will know exactly what these people who were released from prison last week because the President let them go, we all should have an idea of what they did, of what they were involved in.

Among the FALN actions: October 26, 1974, five bombings. Five bombings in downtown New York City. More than \$1 million in damage. That was in 1974.

December 11, 1974, New York police were called to an upper East Side building to collect a dead body. The building was booby trapped. A police officer was injured and lost an eye.

January 24, again the FALN, January 24, 1975, Fraunces Tavern bombed, four killed, 54 injured, more than \$300,000 in damage.

June 15, 1975, two bombs detonated in the Chicago Loop area.

February 1977, Merchandise Mart in Chicago bombed, millions in damages.

August 3, 1977, Mobile Oil employment office in New York bombed. One killed, several injured.

November, 1979, two Chicago military recruiting offices and an armory bombed.

March, 1980, FALN members seized at the Carter-Mondale campaign office in Chicago and the George Bush campaign office in Chicago destroying property and spray painting separatist slogans on all the walls.

December 31, 1982, four bombs detonated in New York outside police and Federal buildings. Does this sound like a replay of Oklahoma City? Maybe Oklahoma City was modeled after some of what these people had done. Let me repeat that. Four bombs detonated in New York outside police and Federal buildings. And, remember, this is the same group that called in a report of a dead body and booby trapped the building so that these police officers, and we all know cops, we all have some in our families, some that are our friends, to walk in this building and hopefully be hurt. That is exactly what the intent was of the FALN.

Now, they had a leader, their leader was Morales, William Morales. Morales escaped from a hospital in New York and fled to Mexico. Guess what he did in Mexico. Well, he killed a cop. Shot a police officer. Guess what Mr. Morales is now doing. Mr. Morales went to Cuba. What is he doing? He just heard the news. The news has gone to Cuba that the President of the United States has issued a pardon to the terrorists of the FALN. So what has Mr. Morales now done? He has applied for a pardon. He has now asked for clemency from the President of the United States.

If anyone were to have asked me a few weeks ago what the chances were of any of these people being granted clemency, I would have said none, zero, zip. That is not going to happen. Now, I do not know. Maybe this guy in Cuba is going to get to walk away from killing the cop, from leading this organization. It is disturbing. It is really disturbing.

Let us talk about a few of the people that have just walked. Edwin Cortes, born 1955, sentenced in October 1985, 14 years ago, 35 years for conspiracy, including the bombing of military training centers. Released by order of the administration.

Elizam Escobar, born 1948, sentenced in February 1981, 18 years ago, to 60 years for firearms violations. Released by order of the administration.

Ricardo Jimenez, born 1956, sentenced in February 1981 to 90 years, to 90 years. He served 19. Ordered released under the clemency by the President last week.

Robert Maldonado-Rivera, born 1936, sentenced in June 1989 to 5 years for his role in the 1983 heist of \$7.1 million. Released in 1994. But the clemency that he got forgave his \$100,000 dollar fine.

They not only let these people out of jail, but if they owed a fine, which they had not paid for the damage they had

done, the millions in bombings and the money they had stolen from armored cars and so on, they do not even have to pay the money back any more. Take a regular citizen in our country who owes money to a bank in default. I wonder if they get to walk away from that? No, they do not get to walk away from it. But if an individual happens to be a terrorist with the FALN, then they can get this clemency.

Let us go on, and I will pick a couple more here. Juan Segarra-Palmer, born 1950, sentenced in October 1985, 14 years ago, 55 years in prison and a \$500,000 fine for conspiracy, for bank robbery, for interstate transportation of stolen money in connection with the 1983 armored car heist. He will serve 5 more years, and he gets out of the medium-security prison.

Norman Ramirez-Talavera, born 1957, sentenced in June 1989 for 5 years for a 1983 armored car heist. He was released in 1994, but the clemency just worked out forgave a \$50,000 fine.

Well, we will not go through all of them. Let me pick one or two others.

Luis Rosa, born 1960, sentenced in February 1981 to 75 years for conspiracy and firearms violations.

Carmen Valentin, born 1946, sentenced in February 1981 to 90 years for conspiracy and firearms violations.

So I think we all get an idea of what we are dealing with. We have a good idea of what these people are. They are not our neighbor next door. They are not regular Joe or regular Jane down the street. These are bad people and they did bad things and they hurt a lot of people.

I do not know if any of my colleagues have been watching TV in the last couple of weeks, but maybe they have seen the widow or some of the surviving family members of those people bombed in New York City. It reminded me of Oklahoma City. And I cannot for the life of me understand how a president can pardon those people. We should make them pay the price. What kind of message are we sending out there? What kind of message do we send to our young people? What kind of message do we send to the rest of the world?

Now, some of my colleagues may ask why I am bringing up all these points; that it seems so one-sided; that there must be some logical thinking behind this. The President must have had a profound reason why he would take such a dramatic step to release these hardened criminals well before they were supposed to be released. There must be some reasoning to it.

Well, I think before we go to what I think the reasoning is, we ought to talk a little more about these convicts. One of the things that the President quickly said after he found out he had created a firestorm in this country, after he found out some people were going to say we want accountability, Mr. President. It is true that the President has the right to grant clemency. That is under the constitution. We are

not contesting this right. But the President owes it to the American people to explain to the American people why he is letting these Puerto Rican terrorists go.

Well, the answer came back, because they have held up their hand and promised that they will not commit any more violence; that they have renounced violence as a part of their life. It is amazing. I used to be a cop. It is amazing how many convicts and how many people we arrest that all of a sudden will find a new life; all of a sudden they would promise me, look, I am not going to do it any more. I have changed my ways. I have changed my life. Really, to determine whether that person is sincere or not we have to do some research. It is like anything else. What are the facts? What is the research? We have to look into the person's background.

Well, it has happened on a couple of these people. They tape recorded these convicts' conversations in jail. And what was interesting was that these convicts knew, they knew their conversations were being taped, so this was not anything secret. They were not secretly disclosing their thoughts about violence. They knew they were being tape recorded and they could have cared less. They wanted people to know. And I will give an example.

Jailhouse statements of some of the FALN members. In October 1995, for example, Luis Rosa, Alicia Rodriguez, and Carlos Torres told the Chicago Tribune they have nothing to be sorry for and they have no intention of ever renouncing an armed revolution.

Another FALN member granted clemency, Ricardo Jimenez, told the judge in his case, "We are going to fight. We are going to fight. Revolutionary justice will take care of you and everybody else." Now, does that sound like the average case that a president should let out of jail?

Well, what does the FBI think about all of this? What are their thoughts? Well, first of all, guess what has happened? We in the United States Congress think, as I stated earlier, that the people deserve an explanation of why the President and the administration took this action. We do not doubt that the President has the authority, as I mentioned earlier, under the Constitution to do this, but he owes an explanation to the American people. But guess what. The White House all of a sudden grabs a paper and says executive privilege. It is executive privilege.

Executive privilege used to be used by the presidents when we had a secret we were afraid our foreign enemies would find out about, like a military secret, or a secret military mission or something with the Central Intelligence Agency that the President, to protect those secrets, would say executive privilege. What secret is to be protected here of a national threat? None. But there may be some political intent that ought to be protected. But that is what the President has done. They

have said executive privilege. They do not want there to be testimony to these Federal agencies. The President does not want them to go to the United States Congress, who are elected by the people of this country, and to testify about this.

Well, the FBI was able to speak, a top FBI official, and I am quoting from the Associated Press of September 22, that is today, this is hot off the wire, this happened yesterday on the Hill, so let me read a couple of things, "Federal Bureau of Investigation. A top FBI official told Congress he regards," he regards, and, remember, he is at the very top echelon of the FBI, "he regards Puerto Rican militants, freed in a grant of clemency by President Clinton as terrorists who continue to represent a threat to the United States of America."

Here is the agency that we charge with law enforcement, the agency that we charge with the priority investigation of terrorist acts. And what do they say to the President? Well, what they say I wish they could have had the opportunity to say before he released them. I wish the President would have called them and asked them, but he did not. They say, one of the top officials says, they continue to represent a threat to the United States of America.

The article goes on: "Gallagher," that is the gentleman's name, FBI, "Gallagher's testimony marked the first time that Federal law enforcement officials have testified on the issue. Also on hand were officials from the Justice Department and the Bureau of Prisons. They were barred." They were stopped. "They were barred from answering questions about clemency because of the White House executive privilege."

Do I think they should be out on the street? I think these are criminals and that they are terrorists and that they represent a threat to the United States, says Gallagher, the top FBI officer. Let me repeat that.

□ 2215

"Do I think they should be out on the street?"

That is the question.

"I think these are criminals, and they are terrorists, and that they represent a threat to the United States."

How much clearer can that information be?

As my colleagues know, we have to rely, and we have had some problems. We will talk about Waco and some other issues. We have had some problems with our law enforcement agencies, but we have got a lot of good cops out there, and we ought to rely on them, and it is not just the FBI that said do not do it, there are a lot of law enforcement agencies out there that said:

Mr. President, do not do this. These people remain a threat to our society. They remain a direct threat to the United States of America. Listen to us.

That is what happened. Signed the paper.

Let me go further:

The FBI was one of several law enforcement organizations opposed to the clemency. Asked about the continuing threat of the FALN and its sister group in Puerto Rico, Gallagher ticked off a handful of more recent bombings in Chicago and Puerto Rico believed to have been conducted by these very organizations.

Clinton's offer of clemency has come under fire from some who have accused him of making it to boost First Lady Hillary Rodham Clinton's popularity amongst New York's 1.3 million Puerto Ricans. Mrs. Clinton is considering a bid for the Senate from New York in 2000.

Oh, finally, finally we are beginning to look at maybe there is some kind of reason, some kind of profound thought behind such a ludicrous decision to let these terrorists back out on the street.

You know what I think the average Puerto Rican in New York, and I am not Puerto Rican, I am not from New York, but you know what I think the average hard-working Puerto Rican in New York thinks about this? They probably agree.

Now I may get some calls tonight from some angry people who do not agree with me. I expect that; that is part of my job. But I think there are a lot of American citizens out there, regardless of whether they are Puerto Rican, whether they are Irish or Scottish or African American or Hispanic, and there are a lot of ordinary Americans out there that do not think this is right. They think, if you are a criminal, if you are a terrorist, you ought to be in jail, and once we get you in jail, you ought to stay in jail. At least serve out the sentences that our justice system gave to you. That is what I think the average American out there thinks regardless of their ethnic background.

We are Americans. We all want a country with low crime. We do not want to have fear every time a truck pulls up that there is a bomb in the back of it. We want to be able to go into a Federal building, we like to go into the House of Representatives, without seeing a bullet hole in the roof, without seeing a bullet in the drawer. We all think a lot alike. Do not dare try and separate us based on ethnic background. Do not dare try and say because we are Hispanic American or Puerto Rican American or Irish American or African American, but for some reason just because of ethnic background we think these terrorists ought to walk. That drive by the administration is wrong; you are going down the wrong path.

Let me talk a little more about why and quote the Wall Street Journal, Friday, August 13, same subject to understand.

Remember earlier in the speech I talked about statistics? You know, do not just take SCOTT MCINNIS' word for it. Let us take a look at what the statistics say about how many, you know, about the clemency, how many times,

for example, a logical question, how many times has the President during his tenure been asked to grant clemency for prisoners? And once we know how many times he has been asked, how many times of that, how many of those, did he actually grant?

You know, we measure. A lot of times we measure a good Governor, you know, on how many pardons they give. I mean you measure people. We have to have a tool of measurement.

Well, we have been kind of blessed in this case. We have got the tools of measurement. We have a darn good measurement out there.

To understand how rare it is, this is the Wall Street Journal, how rare it is for a President to commute a sentence or offer remission of a fine as Mr. Clinton did for 16 Puerto Rican terrorists this week, consider the numbers supplied by the office of the pardoned attorney. From the time he took office in January 1993 until April 2 of this year, the most recent report from the pardon office, Mr. Clinton received the request for 3,042 petitions. He received 3,042 petitions for clemency. Until Wednesday out of that 3,042 he granted three, three of those out of 3,042 in the 7 years or so that he has been in office.

Now the Wall Street Journal, and I quote again from the Wall Street Journal, September 8, 1999, and get a hold of this: This almost makes me my gut wrench. Listen to this:

The Puerto Ricans had not even submitted a clemency request, did not even submit a request, and they got to be No. 4 out of 3,042.

Now what fell out of the blue sky for this President all of a sudden to be interested in 16 Puerto Rican terrorists who had committed bombing crimes? I remember very well the language in the speech that the President made in Oklahoma City. It was a very compassionate speech. It was a good speech. He cared. Every American cared about the tragedy that occurred in Oklahoma City. And I remember the President talking to us in his State of the Union addresses about terrorism and the need to stop it: We must not tolerate terrorism coming from that President.

What happened? What fell out of the sky?

Well, I tell you what it points to. It points to a United States Senate race in the State of New York. He has a lot of interest in that race up there.

I read to you earlier, Associated Press, Hillary Clinton 1.3 or 1.4 Puerto Ricans in New York State.

What is going on here? Are politics so driven in this country? Is the winning of elective office so demanding in this country and so important in this country that we are willing to put at risk American lives by releasing these 16 terrorists? Somebody ought to answer that question. And you know somebody has answered that question.

I want to read you their answer.

Before I read you this answer, let me read one other thing that I think is important for us to consider out of the Wall Street Journal, Friday, August 13:

Mrs. Clinton of course hopes one day to take her place in the parade alongside New York's other pols which we would say explains in a nutshell why her husband has just granted clemency to these 16 Puerto Rican terrorists against the advice of the Justice Department, the FBI and the U.S. Attorneys Office that prosecuted the terrorists back in the early 1980's. All of these law enforcement agencies were consulted several years about the wisdom of releasing these 16 people. All advised against it.

Well, let me wrap it up with a letter.

I am going to read the letter verbatim. It is a couple pages long. I know that it requires some patience for you to listen to this. I mean I have been speaking for a while here. But it is important because I think it really addresses from the heart somebody who has experience in the atrocities that these terrorists have committed, somebody who understands that terrorism must have consequences, that the people that commit, that misbehave in our society, must be punished, and there must be punishment that means something. You cannot just slap them on the hand after they rob the bank and serve a few years and let them go, especially considering there were only 3,042 requests and only three got granted.

Well, let us read that letter. Who is it from? It is from the New York City Police Commissioner, Howard Safir, and as I said, I am reading the letter verbatim.

With last Friday's release of 11 of the 14 FALN terrorists President Clinton has committed an ill-advised and egregious error. He has broken the fundamental rule in addressing terrorism. He has broken the fundamental rule in addressing terrorism. Never negotiate deals with terrorists. Never negotiate deals with terrorists.

Now obviously, Mr. Speaker, when I repeat a sentence, that is mine, it is not repeated in the letter.

Mr. Clinton has sent the message that the lives of American citizens and of the heroic police officers who defend them are disposable. As the Police Commissioner of New York City, I represent 40,200 officers and take the responsibility for the safety of 7.4 million residents. I have become all too familiar with the violence that has been perpetrated by the members of the Puerto Rican separatist group known as the FALN and the manner in which my city and my officers have suffered at the their hands.

During a 9-year reign of terror the FALN was responsible for at least 150 bombings that killed six people and injured more than 70. The brunt of their viciousness, the brunt of their viciousness, was aimed at the people of New York City who endured more than 70 attacks and accounted for four of the deaths and 57 of the injuries. What others have termed a war of liberation, New Yorkers know that to be a war against the innocent. The targets of this organization included restaurants

at lunch time, hotels, banks, and department stores.

While the passage of time may have faded the memory of some, I cannot share that perspective. I have seen the devastating consequences of these destructive acts. I have spoken with several victims of the attacks and their families, people like Joseph Connor whose father, Frank T. Connor, was killed in the bombing in the Fraunces Tavern. I know too well the permanent scars that are carried, the permanent scars that are carried by Detectives Rocco Pascarella, Richard Pastorella, and Anthony Semft. During a wave of terror that saw the FALN detonate four separate explosive devices across the city in the course of a single hour, these men suffered horrific injuries. Defending New York City from these terrorists cost these heroes, cost these heroes their hands and legs and left them permanently blinded and painfully maimed. No one can commute the life sentences, no one can commute the life sentences that the FALN imposed upon its victims.

Some argue that the felons to whom Mr. Clinton offered clemency are not personally responsible for their organization's violence. I cannot agree. The crimes for which these men and women were convicted included robbery, the plotting of bombs and the possession of dangerous weapons. One of the petitioners possessed a loaded firearm and more than 10 pounds of dynamite.

In a January, 1998 letter Ronnie L. Edelman, a deputy bureau chief from the Department of Justice, acknowledged that several of the petitioners offered clemency were arrested in 1980 for their involvement in 28 bombings, and in a recent letter to this newspaper former assistant U.S. Attorney Deborah Devaney recounted her experiences with the petitioners. A former federal prosecutor in Chicago who spent years bringing criminal cases against the FALN terrorists, Ms. Devaney describes capturing several of the petitioners in a van loaded with weapons and videotaping several others making bombs that they planned to use at military installations. I must question the unusual progression of events that surround this clemency offer.

□ 2230

"Mr. Clinton's offer to the FALN members represents only his fourth clemency grant out of more than 3,000 applications filed since 1993. It was extended before any of the 16 agreed to renounce violence. The President made his offer over the objections of the Federal Bureau of Investigation, the Bureau of Prisons and the U.S. attorneys in Illinois and Connecticut, the States where the 16 were convicted.

"In my 26 years as a Justice Department official, I never heard of a clemency report being delivered to the President over the strenuous objections of these agencies."

Let me repeat that. "In my 26 years as a Justice Department official, I

never heard of a clemency report being delivered to the President over the strenuous objections of these agencies. The White House has tried to defend the President's decision, in part, as a response to the urgings of church leaders. In particular, the White House has invoked the name of Cardinal John O'Connor as a staunch supporter for the petitioners' release. This is all the more perplexing given that in letters and through his top aides the cardinal has said he never backed clemency for these terrorists.

"Mr. Clinton erred grievously in failing to follow the recommendations of his own Federal agencies, the House of Representatives, the 17,500 members of the International Association of Chiefs of Police, the 295,000 members of the Fraternal Order of Police and countless others who voiced their outrage at this decision. The United States must make clear that it will never again make deals with terrorists."

That was a letter read verbatim from the New York City Police Commissioner Howard Safir.

The question that needs to be answered, of which the White House has claimed executive privilege, is why these terrorists, why three out of 3,042 petitions being granted and now we go to the fourth, and why New York State?

Mr. President, if it does not have anything to do with that U.S. Senate race in New York State, you ought to waive your executive privilege, although I do not think it exists under these particular circumstances but regardless of that argument you ought to waive it and you ought to answer the American people. You ought to go to the American people. You do not hesitate one minute to have a press conference when you are touring foreign countries. Whenever you have something to say, you go right to the microphone. You are a good speaker. You are not afraid to address the American people. Certainly you have addressed them on a number of controversial issues. You ought to address them on this one. You ought to explain, because what we see on paper, what we saw walk out of that prison cell, what we now see on the streets of America, what we fear in the hearts of every American, is terrorism that exists today, and you have not answered it and you ought to answer it.

Mr. Speaker, I ask for a time check.

The SPEAKER pro tempore (Mr. KINGSTON). The gentleman from Colorado (Mr. MCINNIS) has 15 minutes remaining.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their comments to the Chair and not to the President.

Mr. MCINNIS. Mr. Speaker, I would like to submit for the RECORD a document I have dated September 21, 1999, from the Wall Street Journal.

[From the Wall Street Journal, Sept. 21, 1999]

#### REVISITING WACO

The siege at Waco in 1993 is the sort of complicated mess that can end up on the doorstep of any White House. But the Clinton White House seems to operate under some unique genetic map, which instinctively triggers legal corner-cutting and then coverups. Waco is starting to sound, feel and smell familiar.

We all recall how Charles La Bella, Justice's investigator of the 1996 Clinton-Gore campaign funding scandals, was isolated and ushered out of the department after he called for an independent counsel to take over his job. Precisely the same thing has happened to a Waco prosecutor.

Bill Johnston, the assistant U.S. attorney in Texas, warned Attorney General Janet Reno that her own department might be involved in a coverup of the Waco disaster. Now we learn that the Justice Department then removed Mr. Johnston and his boss from the case on the pretext that there'd be an appearance of conflict of interest if they were called as witnesses. But it hasn't treated anyone else who is likely to become a witness this way.

Obviously, the six-year delay in the release of key details of Justice's final assault on Waco is a matter of extreme sensitivity for Washington Democrats who must figure out every six weeks or so how to survive inside the Clinton orbit. While Ms. Reno made a grand show of sending U.S. marshals across the street to seize evidence from the FBI's building, it's now clear that Justice lawyers preparing its defense in a civil suit filed by the families of dead Branch Davidians had the crucial information all along.

House Democrats meanwhile, led by Rep. Henry Waxman, claim that Republicans were informed back in 1995 of the pyrotechnic devices used at Waco, but in making that point they concede that Justice had the information too. Hill Democrats are clearly sensitive about any suggestion of their own complicity in a possible coverup.

Who can forget Rep. (now Senator) Charles Schumer's highly successful attempts to sidetrack the House hearings on Waco with discussions of the National Rifle Association's contacts with Republicans and alleged child abuse by David Koresh? Mr. Schumer's smoke did more than anything else to obscure realities we're now facing.

Webster Hubbell, the convicted felon from Little Rock, was Justice's point man with the White House on the Waco siege. He also is in a sensitive frame of mind. In his recent memoirs he obviously makes excuses for his role in approving the use of dangerous CS gas against the Branch Davidians. He even claims to have come up with a "solution" to the standoff hours before the final assault began, but was blocked from entering the FBI building until after the gas rounds were fired. Sure would be nice if former Senator John Danforth could establish the truth of this claim.

What precisely is at issue here? It is clearly in the public interest to have a full and complete historical record, in part to defuse conspiracy theorists who already believe the government is out to get them. More precisely, at issue in Senator Danforth's independent probe of Waco is whether and how law enforcement overreacted. The Branch Davidians were a particularly deranged sect, and four Bureau of Alcohol, Tobacco and Firearms agents were killed in the initial raid that started the seven-week siege. But we will probably never conclusively learn who or what started the fire that killed dozens of Mr. Koresh's followers that day.

In any event, law enforcement did learn an important lesson from Waco. No similar inci-

dent has occurred during the administration of FBI Director Louis Freeh. In 1996, for instance, a group of con artists in Montana named the Freemen were safely lured out of their armed standoff with the Feds through the use of more patient tactics.

But the unfinished business of Waco persists in the public mind: Was there a cover-up? Is there something beyond the death of two dozen children to explain the extreme sensitivity of the FBI, the Justice Department and congress on the issue?

It is certainly interesting that one of Mr. Danforth's primary missions is to explore the implications of the 1878 "Posse Comitatus" law. It forbids use of the U.S. military in domestic law enforcement actions. The Texas Rangers seem to have uncovered evidence that members of the Army's elite Delta Force anti-terrorist unit were at Waco. The law provides for a Presidential waiver in case of emergencies: President Reagan signed a waiver, for example, to use Army units to quell prison riots. The White House claims no one ever asked President Clinton to sign a waiver for Waco. So Mr. Danforth has to determine, was Delta Force at Waco, and if so, on whose authority? Obviously it didn't move there on its own, and breaches of the military chain of command are a serious national issue.

Mr. Danforth will need a thorough investigation and candid report to still the drums of conspiracy. A sequel to an Emmy-award winning independent film on Waco, for example, will soon question the denial that the White House counsel's office ever considered a Posse Comitatus waiver. Indeed, Mr. Danforth may find himself plowing some of the same ground covered by Kenneth Starr. Lisa Foster, widow of the late White House Deputy Counsel Vincent Foster, told the FBI that her husband was deeply troubled by Waco and blamed himself for the death of the children there. A Waco file was inventoried in the contents of his office.

Mr. Danforth says he is reluctant to question President Clinton about the issue of a Presidential waiver from Posse Comitatus. That is understandable, given the fate of the last prosecutor to ask probing questions of the President. Yet considering the sorry credibility of the White House, the Justice Department and the FBI, he has a responsibility to make sure the record is straight and complete. Otherwise, we'll all be adding Waco as one more item in the high pile of Clinton contradictions from which we're all supposed to "move on."

#### WACO, WILL WE EVER KNOW THE TRUTH?

Mr. MCINNIS. Mr. Speaker, I want to wrap up my comments on another issue dealing with Waco. First of all, as I mentioned earlier, some who maybe have just come into the Chamber do not know this but I have a law enforcement background. I will say, the first thing that can happen to law enforcement is a bad cop, a bad decision. I do not know any profession in our society, well, I know some. Medical doctors, ambulance drivers, firemen, but the police officer really fits up there in that very top category of a respected profession.

People trust us. They trust police officers. That trust needs to be protected and it needs to be extended.

Mr. Speaker, I am going to take a minute to talk about what concerns me on Waco, Texas. We all agree that in Waco, Texas, there was a whacko down there, there was a nut down there and he is primarily responsible for the

deaths of a lot of people. He was a sick man, and he was so perverted in his mind he led many others to their deaths if he did not execute them himself.

We have to put that aside and see what happened with our Justice Department and what happened at Waco, Texas. Did our own law enforcement agencies down at that particular situation, did they lie to us, the American people? Have they concealed something down in Waco, Texas? It appears they have.

I can remember just 2 or 3 weeks ago when statements were being made by the Justice Department and others, there were no military operations going on at Waco, Texas. In this country, unless it is waived by the President of the United States, we have a ban of using military forces for domestic situations like this. The President has the right to waive it. For example, I think, if history serves my mind right, President Ford waived it to allow the military to help in rescue operations in a flood and so on. In Waco, Texas, I saw tanks being driven, others may have seen it, driven right into the side of the building. Who is driving those tanks? Nonmilitary people are driving those tanks?

What are we doing? Ruby Ridge, one of the blackest eyes law enforcement has received in the history of this country. I resent what happened at Ruby Ridge because I like to think I was a good cop and I know there are a lot of good cops out there and Ruby Ridge put a black eye on law enforcement in this country.

We had a sniper up there who the State of Idaho even felt it was necessary they file State charges against him and the U.S. Justice Department preempted it and had the charges erased. Guess where that sniper shows up again? That sniper is back in Waco, Texas.

How did the law enforcement handle that? That is a question all of us ask. There is no question about whether or not the guy inside that building was a nut. He was a nut. The question is, how did you handle this? The response, it looks like, was a cover-up, a diversion and lies. That does not need to be done to the people you work for. In law enforcement, you work for the people. We are the good guys. You ought to be truthful with us. If you have got a bad cop, and I will say as a former cop if you are working with a bad cop you can stop it. You ought to stop it. You owe it to your career to stop it. You owe it to the very thoughts of law enforcement, to the ideals of law enforcement, to stop a bad cop. If you are out there and you are a cop or you are in the Justice Department or you are in the FBI and you know something that went on at Waco, Texas, and it has not been disclosed yet or it has been concealed, come forward now and let the American people know the whole story.

I have no doubt that the American people would have supported what happened down there had the whole story

been told in the first place. They do not think that you are God. They do not think that you are perfect. They understand that there were problems in a very difficult situation, but do not lie to them. That is what happened.

We have an investigation by the Justice Department. Interesting, Justice Department investigating Justice Department. They call it an independent investigation. We have had a number of other independent investigations that have occurred in different areas. I hope it is truly independent, and I hope the Justice Department is willing to stand up and answer for what went on down there.

I want to submit one other thing for the RECORD. Having the time, I want to read this editorial, Tuesday, September 7, Wall Street Journal: "This being the age of Clinton, Louis Freeh is being set up as the fall guy for a cover-up of the disastrous Waco assault. Never mind that he did not take over the FBI until nearly 4 months after the assault and crucial decisions on how to investigate it. What matters is that he has been a politically independent thorn in the side of Mr. Clinton and Attorney General Janet Reno.

"Miss Reno originally became a media darling by claiming to take responsibility for the 1993 raid that killed about 80 Branch Davidians. In fact, double felon Webster Hubbell was the contact between Justice and the White House; Miss Reno was not even in Justice's crisis-management bunker during much of the assault day; she was out giving a speech.

"Now, a civil lawsuit has uncovered evidence of Justice Department deception, so we read stories quoting unnamed Reno aides that she is 'furious' that she was not told that at least two incendiary devices were used at Waco after all. Other stories question Mr. Freeh's handling of the matter. And in case anyone missed the buck-passing point, the Attorney General ostentatiously sent U.S. marshals to seize previously undisclosed audiotapes of the raid from FBI headquarters.

"President Clinton then added his spin, pointedly expressing confidence in Miss Reno on Saturday from Camp David while withholding it from Mr. Freeh. 'I think that with regard to the director, there is going to be an independent investigation,' he said.

"Maybe they should put Mr. Freeh's mugshot up at the post office.

"We have seen this kind of treatment before in Bill Clinton's Washington. Billy Dale got himself fired when the Friends of Bill wanted to take over the White House Travel Office, and was even indicted by Miss Reno's Justice hounds, though a jury quickly acquitted him.

"Linda Tripp found her personnel records leaked from the Pentagon. And Jean Lewis, who recommended action in Whitewater, had her deleted personal computer files unerased and broadcast in Congress.

"Mr. Freeh has now joined the target list because he has been a rare dis-

sender from the Reno pattern of politicized Justice. Along with Justice investigator Charles LaBella, he broke with Miss Reno to urge an independent counsel in the campaign-finance scandal.

"Congress recently discovered that Justice politicians had refused an FBI request to wiretap suspected Los Alamos spy Wen Ho Lee. And he knows the FBI opposed Mr. Clinton's outrageous recent grant of clemency to 16 Puerto Rican nationalists linked to a terrorist group.

"This is not to say Mr. Freeh has been entirely successful in rooting out the FBI's self-protective culture. The agency's lack of candor regarding its role at Ruby Ridge, Idaho, was a serious black mark. It is entirely possible that agents also sought to cover up the truth about Waco. But anyone actually concerned about the merits of the matter should consult two articles we published last week by officially-designated outside investigators.

"It was Miss Reno, actually we are entitled to presume Mr. Hubbell, who decided on an internal investigation of the role of Justice and the FBI. By contrast, Treasury Secretary Lloyd Bentsen chartered an independent investigation of the role played by his department through the Bureau of Alcohol, Tobacco and Firearms. See the August 30 article by sometimes special Prosecutor Henry Ruth who served on the ATF team.

"When Mr. Freeh arrived on the scene, was he supposed to overturn the Reno/Hubbell decision?

"At the first meeting of a panel of 10 experts appointed to make recommendations about future Wacos, Harvard psychiatrist Alan A. Stone wrote on August 31, 'We discovered that Justice had no intention of telling us what actually happened during the first raid.'

"Mr. Stone adds, 'because the Justice Department's published investigation was so inadequate, I sent a copy of my preliminary memorandum to the newly-appointed director of the FBI, Louis B. Freeh, hoping to break through the stonewall. Soon the crucial FBI actors were phoning me with some of the candid answers.'

"A House committee also sought to investigate, but Democrats, led by now Senator CHUCK SCHUMER, practiced up for impeachment hearings by turning the procedure into a circus. As the hearings wound up, Representative JOHN CONYERS said Republicans tried to implicate everyone 'but the butler.' Mr. SCHUMER complained of 'Monday morning quarterbacking,' and intoned 'if we did hearings on D-Day, we would end up court-martialing General Eisenhower.'

"As for Miss Reno, on Waco as on so much else, she has run the most politicized Justice Department since John Mitchell under Richard Nixon. She has sought to protect the White House at every turn, especially after meeting with the President on her reappoint-

ment at the outset of his second term. She has named special counsels for trivial cases against cabinet members but refused them on serious charges against the President and the vice president, despite the LaBella and Freeh recommendation.

"Indeed, she humiliated Mr. LaBella, sending her department a potent message about dissent from the Clinton political line. Now she is trying to do the same with Mr. Freeh. Meanwhile, she has flagrantly violated the Vacancy Act by leaving important positions filled with 'acting heads.'

"The result is a demoralized Justice Department that cannot be trusted to enforce the rule of law."

□ 2245

"This problem will not be solved by an outside Waco investigator, assuming any serious person would even take the appointment from her. The only way Ms. Reno can begin restoring confidence in justice is to resign."

That is a Wall Street Journal editorial dated Tuesday, September 7.

My point here is this: it is time for us to weed out the bad cops. In our society, we want good cops. I used to be one of them. We respect them. But if we have a bad cop, we have to stand up; we have an obligation, we have a fiduciary duty to the American people, if we have a bad cop, get them out.

#### TAX RELIEF FOR THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. HAYWORTH) is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, I thank the Speaker pro tempore, the gentleman from Georgia (Mr. KINGSTON), and I thank my colleague from Colorado for the comments that he made earlier this evening, and I welcome my colleague from Colorado to the House Committee on Ways and Means.

Mr. Speaker, I would note for our dedicated staff and those who join us tonight that I do not intend on taking much time; however, I thought it was important to come down and offer a perspective, based on the labors of my colleague from Colorado and others who serve on the House Committee on Ways and Means and, indeed, the work of this body and the other body, in attempting to restore to the American people tax relief and tax fairness.

Mr. Speaker, much has been made in the media from the punditocracy about how our President stands foursquare against tax relief for the American people, how he is poised to reject almost \$800 billion in tax relief, and I think a couple of points are worth noting.

First of all, we should reaffirm in this place at this time that the money we are talking about does not belong to the United States Government, is not locked away in some secret account in